

## CHAPTER 33-03-12 HEMOPHILIA

Section	
33-03-12-01	Purpose
33-03-12-02	Definitions
33-03-12-03	Eligibility
33-03-12-04	Reasonable Cost for Blood Products
33-03-12-05	When Reimbursement Not Made
33-03-12-06	Recovery From Other Sources
33-03-12-07	Patients' Eligibility
33-03-12-08	Supplies and Services Covered in Home Care for Reimbursement

**33-03-12-01. Purpose.** The state health officer hereby establishes a hemophilia program for the purpose of providing financial assistance to persons suffering from hemophilia and other related congenital bleeding disorders. The program shall assist those persons to purchase the blood derivatives and supplies necessary for home care.

**History:** Effective February 1, 1981.

**General Authority:** NDCC 23-07.2-02

**Law Implemented:** NDCC 23-07.2-02

**33-03-12-02. Definitions.** The terms used throughout this chapter have the same meaning as in the North Dakota Century Code chapter 23-07.2, except:

1. "Home care" means the self-infusion of a plasmatic clotting factor on an outpatient basis by the patient, or the infusion of a plasmatic clotting factor to a patient on an outpatient basis by a person trained in such procedures.
2. "Income" means adjusted gross income as defined in the laws of the United States relating to federal income taxes, unless a different meaning is clearly required or contemplated.
3. "Individual liability" means the individual's own liability for treatment under this program less that amount paid for through this program.
4. "Net worth" means the sum of the value of liquid assets and real property, after excluding the full value of the home derived by dividing the assessed value by the assessment ratio of the taxation district.
5. "Patient's eligibility for assistance" means any individual eligible for financial assistance under section 33-03-12-03 who would suffer financial hardship, to be determined by the state health officer, if assistance were not forthcoming from this program.

6. "Permanent resident" means any person who becomes a resident in North Dakota with a permanent North Dakota mailing address.
7. "Person" means an individual human being.

**History:** Effective February 1, 1981.

**General Authority:** NDCC 23-07.2-01

**Law Implemented:** NDCC 23-07.2-01

**33-03-12-03. Eligibility.** Any permanent resident of this state who suffers from hemophilia or other related congenital bleeding disorder may participate in the program if that person meets the requirements and standards of this chapter. The person may enter into an agreement with the state health officer for a maintenance program to be followed by that person as a condition for eligibility, and who produces evidence that this condition has been diagnosed by a licensed physician. The state health officer shall at least once in each six-month period, review the maintenance program and verify that the person is complying with the program.

**History:** Effective February 1, 1981.

**General Authority:** NDCC 23-07.2-04

**Law Implemented:** NDCC 23-07.2-04

**33-03-12-04. Reasonable cost for blood products.**

1. The reasonable cost, as determined by the state health officer, for blood products and supplies used in home care for which reimbursement is not prohibited under section 33-03-12-05 may be reimbursed under this program after deduction of the patient's liability. Reasonable cost reimbursement shall be subject to availability of moneys for this program.
2. Moneys available for this program, will be used to assist individuals on a first-come, first-served basis. Moneys will only be used for current financial assistance to eligible persons. Moneys will not be used to assist someone retroactively.

**History:** Effective February 1, 1981.

**General Authority:** NDCC 23-07.2-04

**Law Implemented:** NDCC 23-07.2-04

**33-03-12-05. When reimbursement not made.**

1. Reimbursement shall not be made under this chapter for any blood products or supplies which are not purchased pursuant to the state health officer's agreement.
2. Reimbursement shall not be made under this chapter for any portion of the costs of blood products or supplies which are payable under any

other state or federal program or under any grant, contract, or any other contractual arrangement.

**History:** Effective February 1, 1981.

**General Authority:** NDCC 23-07.2-03, 23-07.2-04

**Law Implemented:** NDCC 23-07.2-03, 23-07.2-04

**33-03-12-06. Recovery from other sources.** The state health officer may enter into agreements with third parties, including any insurer, for payments for blood products and for supplies used in home care by persons participating in the program.

**History:** Effective February 1, 1981.

**General Authority:** NDCC 23-07.2-04

**Law Implemented:** NDCC 23-07.2-04

**33-03-12-07. Patients' eligibility.** In determining eligibility for reimbursement under this program, the severity of the hemophilia and the magnitude of medical expenses being encountered by the family may be considered as the sole criteria for eligibility for reimbursement regardless of income, family size, or net worth.

**History:** Effective February 1, 1981.

**General Authority:** NDCC 23-07.2-04

**Law Implemented:** NDCC 23-07.2-04

**33-03-12-08. Supplies and services covered in home care for reimbursement.** The following supplies and services used in home care are covered under this program:

1. Coagulation factor.
2. Diluent, if needed.
3. Syringes and intravenous needles.

**History:** Effective February 1, 1981.

**General Authority:** NDCC 23-07.2-04

**Law Implemented:** NDCC 23-07.2-04